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8 Attorneys for Plaintiff, j2 GLOBAL COMMUNICATIONS, INC.

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION

12 j2 GLOBAL COMMUNICATIONS, INC.,

13 Plaintiff,

14 vs.

15 BLUE JAY, INC., *et al.*,

16 Defendants.

Case No.: ____08-04254 PJH

**j2 GLOBAL COMMUNICATIONS,
INC.'S. REQUEST TO CLERK TO
ENTER DEFAULT OF NEIL
LUXENBERG**

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19 TO: THE CLERK OF THE ABOVE-ENTITLED COURT

20 Plaintiff j2 Global Communications, Inc. hereby requests that the Clerk of the above-
21 entitled Court enter default on this matter against defendant Neil Luxenberg on the ground that
22 said defendant has failed to file an Answer or other responsive pleading within ten days after the
23 denial of his Motion to Quash for lack of personal jurisdiction. As more specifically set forth in
24 the accompanying Declaration of John C. Brown ("Brown decl."), the Court entered its Order on
25 Luxenberg's Motion to Quash on January 5, 2009 (document #27), thereby giving notice to
26 Luxenberg of the Order. Brown decl., ¶ 7. The Order did not specify a date for the filing by
27 Luxenberg of his Answer or other responsive pleading, meaning that Federal Rule of Civil
28 Procedure 12(a)(4)(A) required his Answer or other responsive pleading to be filed within ten

1 days of the notice of entry of the January 5, 2009 Order. On January 16, 2009, j2's counsel
2 advised Luxenberg's counsel that j2 intended to take a default on January 23 if Luxenberg had
3 not filed an Answer or responsive pleading as of that date. Brown decl., ¶ 7. As of the
4 preparation of this Request on January 23, 2009, Luxenberg has not filed an Answer or other
5 responsive pleading, nor has he requested an extension of time to do so.

6 The above stated facts and additional supporting facts are set forth in the accompanying
7 Declaration of John C. Brown, filed herewith.

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9 Date: January 23, 2009

REDENBACHER & BROWN, LLP

John C. Brown

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11 By _____
12 JOHN C. BROWN
13 Attorneys for Plaintiff j2 GLOBAL
14 COMMUNICATIONS, INC.
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